

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM L. BITTERS,

Petitioner,

v.

CIVIL ACTION NO. 04-CV-73290-DT
HONORABLE BERNARD A. FRIEDMAN

RAYMOND BOOKER,

Respondent.

**ORDER REQUIRING PETITIONER'S COUNSEL TO FILE
CASE STATUS REPORT AND/OR SUPPLEMENTAL PLEADINGS**

Petitioner William J. Bitters, a state prisoner has filed a *pro se* petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 raising claims concerning the state court's denial of his motion to quash, the effectiveness of counsel, an alleged jurisdictional defect, and the state court's refusal to grant an evidentiary hearing. Respondent has filed an answer to the petition, as well as a motion for summary judgment seeking dismissal of the petition as untimely.

In August, 2005, the Court appointed counsel for Petitioner because the record revealed that he was denied counsel in seeking leave to appeal his guilty plea conviction in the Michigan Court of Appeals. In *Halbert v. Michigan*, __ U.S. __, 125 S. Ct. 2582 (June 23, 2005), the United States Supreme Court held that due process and equal protection require appointment of counsel for indigent defendants convicted on pleas who seek review in the Michigan Court of Appeals. To date, however, Petitioner's appointed counsel has not filed any supplemental pleadings in this case nor updated the Court on any remedies that he may be pursuing in the Michigan courts on

Petitioner's behalf. Accordingly, the Court **ORDERS** Petitioner's counsel to file a case status report and/or supplemental pleadings in this matter within **30 DAYS** of the date of this order.

s/Bernard A. Friedman
BERNARD A. FRIEDMAN
UNITED STATES DISTRICT JUDGE

DATED: January 26, 2006